



JASPER COUNTY COUNCIL
VIRTUAL MEETING
JULY 6, 2020
MINUTES

Call to Order – Chairman Etheridge called the meeting to order at approximately 5:00 P.M in order to enter into Executive Session.

Officials Present: Chairman Henry Etheridge, Vice Chairwoman Barbara B. Clark, Councilman D. Thomas Johnson, Councilman L. Martin Sauls, IV, Councilman Dr. Curtis Brantley

Staff Present: County Administrator Andrew Fulghum, Acting Clerk to Council Tisha L. Williams, County Attorney David Tedder, Director of Emergency Management Services Chief Frank Edwards, Administrative Services Director Kimberly Burgess, Parks and Recreation Director Johnny Davis

Executive Session

Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that a hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing – Sheriff Department, Magistrate's Office

Discussion of negotiations incident to proposed contract arrangements and proposed purchase or sale of property, the receipt of legal advice where the legal advice related to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim – Cherry Point Fire District Update, Nickel Plate MCIP, Levy Fire District

Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by a public body -- Section 30-4-70(a)(5) – Jasper Ocean Terminal (JOT), Project Saltwater

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion to return to enter into Executive Session. The Motion passes with all Councilmembers present voting in favor. Councilman Sauls moves and Councilman Johnson seconds the motion to return to Open Session. The Motion passes with all Councilmembers present voting in favor.

Return to Open Session at approximately 6:30 P.M.

Chairman Etheridge asked if there are any matters to be brought forward from Executive Session.

Councilman Sauls moved to approve a month to month Fire Contract for the Levy Fire District as Vice Chairwoman Clark seconds the motion, with all Members voting in favor. Motion passes.

Pledge of Allegiance led by Councilman Sauls and in unison

Invocation given by Councilman Johnson

Approval of Agenda

Councilman Sauls moves as Councilman Johnson seconds the Motion to approve the Agenda. The Motion passes with all Councilmembers present voting.

Approval of the Minutes – June 1, 2020; June 15, 2020

Councilman Sauls moved to approve the Minutes of June 1, 2020 and June 15, 2020 as Vice Chairwoman Clark seconds the motion. All Members present voting in favor, motion passes to approve the Minutes.

Presentations and Proclamations

Open Floor to the Public

Per ordinance 08-17 any citizen of the County may sign to speak before the Council on matters pertaining to County Services and Operations. Presentations will be limited to three (3) minutes and total public input will be limited to 30 minutes.

Chairman Etheridge opens the floor to the Public.

There were four comments about the Mask Ordinance but no Public Comment.

Chairman Etheridge closes the floor.

Resolutions

Ordinances

Kim Burgess – Public Hearing and 2nd Reading of an Ordinance to Amend the Personnel Policies and Procedures Manual relating to Disaster Pay and other matters related thereto in accordance with Section 2-67 of the Jasper County Code of Ordinances

Ms. Burgess stated that this Disaster Pay Policy designates three types of Employees, which are the ***Essential Employee*** – an employee required to work during an emergency situation; ***Non-Essential Employee*** – an employee not necessarily required to work but may volunteer to do so or may be asked to do so; ***Department Heads and Directors***. Ms. Burgess continued stating that with an Essential Employee, if there is a State or Local Disaster Declaration that employee will be paid at their regular rate until the County Offices are closed at which time they will be paid overtime. If a disaster is declared but the office/facilities are not closed they would receive their regular rate until they have reached the overtime limit and then they would begin to receive overtime. If they have to spend time at a County facility or at a hotel, as a part of their job or in other words where they would be away from home, that would be deemed as over time but they would receive “straight pay” called Disaster Over time as they would not normally receive any overtime. The Non-Essential Employee would be paid normally in the event of a disaster until they are

asked or volunteer to work at the Emergency Center then at which time they would be paid overtime at one and a half times their regular rate. If the County Offices are closed they would receive their regular pay. For Department heads and Directors they would receive their regular salary even if County offices/facilities are closed.

Chairman Etheridge opens the floor to the Public.

Acting Clerk to Council Ms. Williams stated that she did not receive any Comments.

Chairman Etheridge closes the floor.

Councilman Sauls moves and Vice Chairwoman Clark seconds the motion. All members present voting in favor and motion passes.

Lisa Wagner – 1st Reading of an Ordinance to Amend Article 2, Applications to Develop or Alter the Use of Land, Section 2.2, Application Procedures for Subdivision and Land Development Regulations, and Section 2.8, Major Subdivision, of the Jasper County Land Development Regulations, to add in requirements for Conceptual Plan Review for major subdivisions.

Mr. Tedder stated that he's standing in for Ms. Wagner who is out tonight and that under the Planning and Zoning Ordinance there is a procedure for major subdivisions that only steps which were preliminary and pliable. Due to the great amount of work that must be done in order to get to the preliminary stage of the the Planning Commission not knowing whether what the County is doing was going to be headed in the right direction, therefore it became an suggestion that the County institute a conceptual plan where some members would come in and present their plans to receive an approval / idea of any future projects requirements to receive some sort of direction before Council spends any funds on projects. The Planning Commission is suggesting a Conceptual plan approval and the amendment that was presented before Council inserts a requirement on major subdivisions to all for a concept plan submission and what Council would need to bring in to get to that point. Chairman Etheridge inquired if it's all about being able to come in and get a conceptual plan review, and Mr. Tedder answered that was correct. Councilman Sauls moves and Councilman Johnson seconds the motion. All members present voting in favor and motion passes.

Kim Burgess – Public Hearing and 2nd Reading of an Ordinance Approving Reconciliations Amending FY 19-20 Budget

Ms. Burgess presented a summary showing the Transfers greater than \$5,000 would result in a decrease of the budget of \$563,125.33, the Disaster Expenses are \$20,151.04, Supplemental Appropriations would increase the budget by \$656,460.00, the total of the transfer less than \$5,000 would decrease the budget by \$147,382.26 therefore essentially there is a net increase in expenditures of \$466,103.45. Ms. Burgess then showed a slide that showed examples of department and what would cause a decrease or increase showing for example the Fire/Rescue Department decreasing by \$808,768.30 by Saving in employee related expenditures and in capital outlay.

Chairman Etheridge opens the floor to the Public.

Acting Clerk to Council Ms. Williams stated that she did not receive any Comments.

Chairman Etheridge closes the floor.

Councilman Sauls moves and Councilman Johnson seconds the motion. All members present voting in favor and motion passes. Councilman Sauls stated that when the Council sets a budget they must stay within that budget and wants to make sure that all Department heads do not exceed their budget and if there is a need to exceed, Council must know the reason why it is exceeded.

David Tedder – Public Hearing and 2nd Reading of an Ordinance To Amend the Jasper County Code of Ordinances, Chapter 9, Civil Emergencies, by Providing for the Deletion of Article II, County Disaster Preparedness Agency, codified as Sections 9-26-50, and Reserving that Article for Future Use, Amending Article III, County Emergency Management Agency, codified as Sections 9-51 through 79, to Reflect Certain Changes in Department Names, Providing for the Adoption of a Revised Jasper County Emergency Operations Plan, and Matters Related Thereto

Mr. Tedder stated this was a clean up Ordinance looking at the County Emergency Services and it became aware that the County's Emergency Operation plan was outdated. Now with the help of a Consultant the Emergency Operation Plan has been updated. Mr. Tedder advised that while looking at the Master Ordinance original language needed to be corrected as some things appear to have been a little jumbled.

Chairman Etheridge opens the floor to the Public.

Acting Clerk to Council Ms. Williams stated that she did not receive any Comments.

Chairman Etheridge closes the floor.

Councilman Sauls moves and Vice Chairwoman Clark seconds the motion. All members present voting in favor and motion passes.

Kim Burgess – Public Hearing and 2nd Reading To Authorize Jasper County to Enter into a Memorandum of Understanding/Lease Agreement with the Polaris Tech Charter School for the use of the Athletic Facilities at the Airport Field Complex

Ms. Burgess stated that last year the County had a one year Memorandum of Understanding and the County is looking to renew that and change a couple of the terms of that agreement. Ms. Burgess stated that this MOU lays out the responsibilities of each party, which is the County and Polaris Tech and also provides for a monthly maintenance fee of \$250 to be paid to the County by Polaris Tech for the Season of August through May, which is to help with some of the irrigation cost.

Chairman Etheridge opens the floor to the Public.

Acting Clerk to Council Ms. Williams stated that she did not receive any Comments.

Chairman Etheridge closes the floor.

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

David Tedder – Consideration of an Emergency Ordinance Requiring face coverings or masks be worn in Public in the unincorporated areas of Jasper County during the COVID-19 Public Health Emergency and Recovery

Mr. Tedder stated that what Council has before them is an Ordinance that is based on a template Ordinance that the Municipal Association of South Carolina came out with. Therefore Council has an Ordinance and a Resolution that removes the civil fines and it's up to the Council as to where they want to go.

Vice Chairwoman Clark moves to adopt the Resolution urging the wearing of face mask rather than an Ordinance that Council adopt Effective Immediately. The Resolution prepared by the County Attorney as Option 1 and Councilman Johnson seconds the motion. Councilman Sauls asked if Vice Chairwoman Clark could repeat her motion again. All members present voting in favor and motion passes. Chairman Etheridge this simply means that the imposing of fines will not come and simply giving people the option to wear face mask and asking the public to help. Councilman Sauls agrees that it is not County Council's job to tell people that they need to wear face mask. Councilman Johnson stated that he would just like to remind the public to do unto others as you would have them do unto and that the mask are for your protection and your neighbor's protection.

David Tedder – Motion to Suspend Rules and Motion to Reconsider the 3rd Reading of the Ordinance Authorizing the Execution and Delivery of Easement

Mr. Tedder reminded Council of the time of the rebuilding of the southern part of the county, Council was considering the authorizing of an easement for Dominion on powerline service to come onto the property (Stiney Road) and after the third reading, Dominion determined that they needed an additional easement down the side of the property toward the building and they provided a different exhibit. Therefore, this is a request to basically substitute the easement drawing they provided for the last Council meeting so that they could move forward and get power to the building.

Councilman Johnson moves and Vice Chairwoman Clark seconds the motion. All members present voting in favor and motion passes. Councilman Johnson asked Mr. Tedder if he could come up with an all around easement as a form of a suggestion. Mr. Tedder he would work around and see what he could come up with.

Councilman Sauls moved to Reconsider the 3rd Reading of the June 15, 2020 Meeting as Vice Chairwoman Clark seconds. All Members are in favor. Motion passes.

New Business

Frank Edwards – Request for Approval to Purchase and Install of Stand-by Generator

Chief Edwards asked Council for their consideration and approval to purchase and install a Stand-by generator with a backup UPS battery for the 911 Communication Center from Blanchard in the amount of \$235,537.60 will be funded from County 911 Funds and 60% will be reimbursed from the State.

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

Frank Edwards – Request for Approval to Enter Contract for Recruitment Advertisement

Chief Edwards request to enter in a renewal with Adams Outdoor Advertising for an additional 3 months of digital billboard space and social media recruitment of volunteer fire fighters in Jasper County in the amount of \$5,400 of which 100% is reimbursed by FEMA.

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes.

Frank Edwards – Request for Approval of Change Order for Stiney Road Fire Station

Chief Edwards stated that there are couple of change orders he's seeking approval for and one is for additional electrical work for the overhead apparatus doors \$3,557 also for some work on electrical connections for the fire suppression flow switch for the fire sprinkler system in the amount of \$1,222 and a Change order for wiring and running lines for the HVAC system not to exceed \$1,964.03 and this item is still under discussion between the architect and fire rescue but wanted to get approval for just in case.

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes

David Tedder – Consideration of a Resolution Accepting the Donation of Trail Improvements at Sergeant Jasper Park and potential naming of Trail

Mr. Tedder advised Council of a Resident, Mr. Sean Custer asked Mr. Davis if he could make a Service project of a donation to improve four tenths of a mile of that trail at Sgt. Jasper Park by clearing it out and making it a little bigger, placing some park benches, dressing the trail with flowers. The purpose for the request is that Mr. Custer lost his daughter about ten years ago from a disease that's very uncommon and was receiving experimental treatment that is no longer being used as all the information is in the Council packet. Mr. Custer is asking Council's permission to be able to perform the work on the property at his cost and under Mr. Davis's supervision and he would like to place on his park benches an aluminum plaque in memory of daughter and a place for people who have donated to be recognized. Mr. Custer also asks for the trail to not be named by a person but for it to be named the Blue Eyed Trail. Mr. Davis stated that he was approached by Mr. Custer a few weeks ago and he is an avid user of the Sgt. Park and a known hiker and biker and he just wanted to do something to pay tribute to his daughter and help make some improvements to the trail at the park and the name of the trail will match all the names of the trails as they are done by color.

Vice Chairwoman Clark moves to accept donation and naming of Blue Eyed Trail and Councilman Sauls seconds the motion. All members present voting in favor and motion passes. Vice Chairwoman thanked Mr. Custer and stated that she believes it will help in the beautification of trail and that he's doing a great thing. Councilman Sauls thanked Mr. Custer as well and encouraged him to keep doing well and that it's a wonderful tribute on behalf of his daughter and enhancing the trail as well. Chairman Etheridge also thanked Mr. Custer and appreciate what he is doing.

Andrew Fulghum – Presentation of Change Order #3 and #4 Ridgeland-Claude Dean Airport Expansion Project

Mr. Fulghum stated this particular phase is being performed by Cleland Site Prep and back in October 2019, Mr. Fulghum removed himself from being able to sign any change orders as his spouse is employed at the company. Mr. Fulghum stated that he is happy to relay from the Contractor the details on the two change orders the Contractor is looking for approval on if Council likes. Mr. Fulghum reminded Council that this is the third change order on this particular phase, adding the 1st was approved a few meetings ago, the second

one concerns an electrical meter service to the pump station and the Town of Ridgeland has required a separate meter for that so there are some additional electrical cost. Additional fencing is needed around a portion of the airport terminal caused by a gap that was initially started on the 278 Project, the total of both change orders to \$124,262.57 with Completion date September 2020. Mr. Fulghum is asking for Council's consideration and approval of orders and ask that the Chairman sign in approved.

Vice Chairwoman Clark moves and Councilman Sauls seconds the motion. All members present voting in favor and motion passes

Old Business

Mr. Fulghum stated that there was an omission on an Agenda for the Civil Air Patrol as it was scheduled for a Public Hearing and 2nd Reading and suggest to pick it up again at the next Council Meeting.

Council Members' Comments

Councilman Johnson stated that he has nothing to add

Councilman Sauls stated that everyone continue to stay safe and respect others. Councilman Sauls also thanked all Essential workers and Staff for the work they are doing.

Councilman Brantley stated that he want the record to reflect that the Council has been forewarned about a possible discrimination law suit that maybe forthcoming and encouraged everyone to stay safe.

Vice Chairwoman Clark reminded everyone that the Corona virus is very real and to stay safe and added that if people are threatening they can and Council will do what they have to.

Chairman Etheridge stated that he wants everyone to be careful during this time, adding the Coronavirus is very real.

Administrator's Report

Mr. Fulghum stated that he didn't have anything to report beyond what they have in their report and the items in the report are not action items.

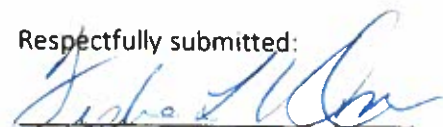
Vice Chairwoman Clark stated that whatever is done in Executive Session, is supposed to say in Executive Session.

Adjourn

Councilman Sauls moves as Vice Chairwoman Clark seconds the Motion to adjourn. The Motion passes with all Councilmembers present voting in favor. Meeting Adjourned

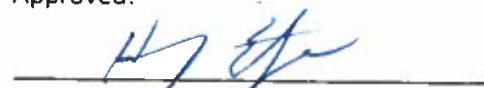
Meeting adjourned at 7:43 P.M.

Respectfully submitted:



Tisha L. Williams
Acting Clerk to Council

Approved:


Henry Etheridge
Chairman